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April 25, 2022


REQUEST GRANTED.

The Court will file an amended judgment and remove the special condition of supervision noted in the letter.

BY ECF

Honorable Lewis J. Liman
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

4/26/2022 SO ORDERED.



LEWIS J. LIMAN
United States District Judge

Re: *United States v. Sergei Polevikov*, 21 Cr. 774

Dear Judge Liman:

We represent the defendant, Sergei Polevikov, in the above-captioned case.

On April 12, 2022, the Court sentenced Mr. Polevikov to 33 months of imprisonment, followed by two years of supervised release; forfeiture of \$8,564,977; a \$10,000 fine; and a \$100 special assessment. With respect to supervised release, the April 22, 2022 Judgment against Mr. Polevikov includes the following special condition of supervision: "The defendant must not incur new credit charges or open additional lines of credit without the approval of the probation officer unless he is in compliance with the installment payment schedule." (ECF No. 26 at 5).

We write to respectfully request that the Court correct the sentence to remove this special condition because there is no installment payment schedule. Mr. Polevikov already has paid the full forfeiture amount, and the Court directed that the Clerk of Court use funds deposited by Mr. Polevikov to pay the fine and the special assessment. (ECF No. 26 at 7). We respectfully submit that the Court has the authority to make the requested correction under Federal Rule of Criminal Procedure 35(a), within 14 days after sentencing, because the reference to an installment payment schedule constitutes a clear error.

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AUSA Kiersten Fletcher has informed us that the Government has no objection to the requested correction.

Respectfully Submitted,

/s/ Michael Gerber

Michael Gerber

Jeannie Rose Rubin

cc: Kiersten Fletcher, Esq. (by ECF)